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8 UNITED STATES OF AMERICA
9

10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12 SOUTHERN DIVISION

13 UNITED STATES OF AMERICA,)	No. SA CR 06-00208-AG
)	
14 Plaintiff,)	<u>GOVERNMENT'S SUPPLEMENTAL</u>
)	<u>INFORMATION RE: SENTENCING</u>
15 v.)	
)	<u>Sentencing Hearing</u>
16 SALVATORE FAVATA,)	July 2, 2007
)	1:30 p.m.
17 Defendant.)	
_____)	

18

19 Plaintiff United States of America, by and through its
20 attorney of record, Assistant United States Attorney Douglas F.
21 McCormick, hereby files the attached victim letters and impact
22 statements received by the U.S. Attorney's Office. These letters
23 and statements were recently received and thus not attached to

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1 the amended Pre-Sentence Report submitted to the court by the
2 Probation Office.

3 DATED: June 29, 2007

Respectfully submitted,

4 GEORGE S. CARDONA
Acting United States Attorney

5 WAYNE R. GROSS
6 Assistant United States Attorney
Chief, Santa Ana Office

7 /s/

8 _____
9 DOUGLAS F. McCORMICK
Assistant United States Attorney

McCormick, Doug (USACAC)

From: Hanif, Georgia (USACAC)
Sent: Friday, June 29, 2007 8:28 AM
To: McCormick, Doug (USACAC)
Subject: FW: Sam Favata

From: sbatuello@comcast.net [mailto:sbatuello@comcast.net]
Sent: Friday, June 29, 2007 7:13 AM
To: Hanif, Georgia (USACAC)
Subject: Sam Favata

Judge Guilford,

If Sam Favata's incarceration in a federal prison is not increased far beyond the nominal five years to which he plead, the message will be clear to criminals. California is a favorable environment to steal \$32 million.

Mr. Favata authored an elaborate and deliberate Ponzi scheme. His anticipated argument for leniency because of his pathologic compulsive gambling argument is not valid. He was in control. He used the money for other things. To date, his victims in Colorado have not been advised of the whereabouts of some \$22 million (offshore accounts perhaps?).

He has shown no genuine remorse. I have never received a personal apology from Mr. Favata. If he apologizes and sheds tears pleading for leniency in your courtroom it will be in the face of his continued decadent lifestyle without lifting a finger to repay his victims. The pretense of remorse is sociopathic and insulting.

My wife (Kristy Suda) and I were bilked out of \$400,000 by Mr. Favata and his accomplices creating a tremendous hardship on our children, strain on our marriage, and oppressive fear, anxiety, and stress.

Thank you for your consideration.

Stephen G. Batuello, MD

6/29/2007

June 20, 2007

Ronald Reagan United States Courthouse & Federal Building
411 West 4th Street, Suite 4170
Santa Ana, CA 92701

RE: Victim Impact Statement
United States v Favata, Salvatore Joseph
Case # SACR06-00208

Dear Your Honor,

More than a year has passed since I became a creditor in this National Consumer Mortgage Fraudulent case. It hasn't been easy for me and I sometimes wonder if there is a light at the end of the tunnel. My entire family has been affected by this crime. The money I thought I had so prudently invested is gone. I am a single Mom that had just been recently divorced and am raising my son alone. I am basically a 24/7 Mom. The money invested was college money for my son. I also had planned to live on much of the interest I could make off of that money so that I could be home for my son during his young years. My plan was to get a part time job working from home and in conjunction with the interest, be here for my son.

My world just fell apart after the fall of National Consumer Mortgage. I lost trust in the world. I was extremely angry at the gentleman that I talked to in length before investing in this company. I invested two notes with National Consumer Mortgage totaling \$275,000. Basically that was my portion of the profit of the sale of my house from my divorce. The sad part about the two notes, is that one note had been backdated a couple of days and was dated 3/20/06; just 14 days prior to the bankruptcy being delivered to my doorstep. Ironically the notice was delivered on my birthday which obviously ruined my day.

I was planning to adopt a baby girl and had just completed the paperwork 45 days prior to this incident. I have put that adoption on hold as I was not 100% sure that my finances would be secure enough to raise two small children. My dream for a girl and a boy has been crushed by this incident and money has become extremely tight. That has been one of the saddest moments for me to accept that my dream of a little girl has been eliminated because of this fraudulent incident.

I have had no formal counseling but maybe I should have. But I don't feel I can afford it. I am VERY conservative with my monies these days. I am an emotional wreck and very nervous and jumpy. It has affected my moods and has given me a lack of self confidence. I can't seem to make a decision on anything and keep second guessing my every decision. I seem to be "stalled" in my life and unable to move forward. I am sad and very cautious about everything. This wonderful time I had planned to bond with my son has

been scarred by this event. I have been gaining weight from stress which is not good for my long-term health. I worry about money all of the time which makes me constantly tired.

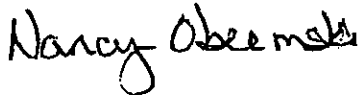
I have not filed a civil lawsuit at this time. I had talked to a couple of lawyers when this first happened in hopes of securing the monies from my second note (\$125,000) that was invested so close to this criminal filing date (3/20/06). Since it was evident that "someone" knew what was going to happen, this felt even MORE fraudulent to me. I felt very taken advantage of by Kris Thornton.

This incident has affected my lifestyle as I am now very skeptical of everyone. I don't take chances financially or emotionally. I am very conservative with my money these days. My son is missing out on the little extra things we would have done before I feel so strapped.

I do not feel the defendant is a threat to my family or others.

My hope is that full restitution would be made to all of the creditors. I strongly feel that it would be very hard for him to pay back any of his debt from jail. Therefore I would strongly request that Mr. Sam Favata make restitution now to the best of his ability. After that is accomplished, I feel STRONGLY that Sam SHOULD then serve his jail sentence. And I further believe if he quits making dollars for the restitution fund, then he should immediately serve out his jail sentence.

Sincerely,



Nancy Obremski